

Notice of Allowability

Application No.

10/717,527

Examiner

Gary C. Hoge

Applicant(s)

HUBER, JOHN JEROME

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed May 5, 2006.
2. ☒ The allowed claim(s) is/are 12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

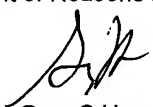
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Gary C Hoge
Primary Examiner
Art Unit: 3611

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Huber on May 15, 2006.

The application has been amended as follows:

Claim 11 has been cancelled.

--Claim 12 (New) A two-sided, portable scoring banner comprising:

a front face; a back face coupled to said front face; said front face and said back face each comprising a sheet of lightweight, flexible first material capable of being repeatedly rolled-up and straightened out without fracturing; whereby said front face and said back face form a flexible housing;

at least one first window formed in said front face of said housing; at least one second window formed in said back face of said housing, wherein said at least one first window and said at least one second window are aligned with each other allowing at least one composite window to be formed through said housing;

at least one scoring element rotatably coupled to and sandwiched between said front face and said back face, said scoring element having a front surface and a back surface;

said scoring element comprising a sheet of lightweight, flexible second material capable of being repeatedly rolled-up and straightened out without fracturing, whereby said housing and said scoring element coupled therein are together capable of being repeatedly rolled-up and straightened out;

a set of scoring symbols selectively placed on both said front surface and said back surface of said scoring element, such that the same said scoring symbol is displayed through both said at least one first window and said at least one second window, thereby providing a two-sided scoring display;

means to reposition said scoring element within said housing to simultaneously display a selected scoring symbol through both said at least one first window and said at least one second window;

at least one elongated securing means, each said securing means having a proximal end and a distal end, each said proximal end having a first attachment means for attaching said proximal end to said housing; each said distal end having a second attachment means for securing said banner to a variety of support surfaces;

said banner being capable of being rolled up into a relatively compact cylindrical storage configuration, wherein said at least one flexible elongated securing means is adapted to encircle said banner in said storage position, and said first attachment means is engageable with said second attachment means to thereby retain said banner in said storage configuration;

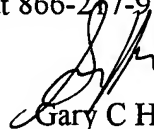
whereby a sports team can attach said scoring banner to a variety of support structures, select and simultaneously display the same presentation of a team score on

both said front face and said back face of said scoring banner and, when desired, roll and secure said scoring banner into a compact and rolled form for easy storage and transportation.--

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Hoge whose telephone number is (571) 272-6645. The examiner can normally be reached on 5-4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gary C Hoge
Primary Examiner
Art Unit 3611

gch